

# Court of Appeals, State of Michigan

## ORDER

Frank Richard Jacobson v Norfolk Development Corporation

Docket No. 289640

LC No. 06-000289-CH

Richard A. Bandstra  
Presiding Judge

David H. Sawyer

Douglas B. Shapiro  
Judges

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Pursuant to MCR 7.205(D)(2), in lieu of granting the application for leave to appeal, the Court REMANDS this matter to the trial court for the purpose of re-evaluating the reasonableness of the attorney fees requested upon a proper evidentiary record. *Jager v Nationwide Truck Brokers, Inc*, 252 Mich App 464, 489; 652 NW2d 503 (2002), overruled on other grounds *Elezovic v Ford Motor Co*, 472 Mich 408; 697 NW2d 851 (2005). In all other regards, the Court orders that the application for leave to appeal is DENIED for lack of merit in the grounds presented. This order has immediate effect. MCR 7.215(F)(2). The Court does not retain jurisdiction.

Shapiro, J., would deny the application for leave to appeal.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

APR 16 2009

Date

*Sandra Schultz Mengel*

Chief Clerk